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RUEHUL/USDAO SEOUL KOR PRIORITY

C O N F I D E N T I A L SEOUL 000824

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STATE PASS TO PM/DDTC

E.O. 12958: DECL: 05/22/2019
TAGS: [ETTC](#) [KOMC](#) [KS](#) [MNUC](#) [PARM](#)
SUBJECT: ROKG SUBMITS ASSURANCES FOR TRANSFER OF FOUR ITEMS

Classified By: A/DCM Joseph Yun for reasons 1.4 (b,d).

1. (C) Post received a letter containing assurances from the ROKG on May 22 for the transfer of four items as part of the procurement of the ROK's E-737 Airborne Early Warning and Control Program.

2. (C) The text of the ROKG assurances letter is as follows.

May 22, 2009

Mr. David J. Wolff
First Secretary
Political Military Affairs
Embassy of the United States
Seoul, Korea

Dear Mr. Wolff,

Following the previous request made by the Defense Acquisition Program Agency and the assurance letter dated on Feb 23, the Defense Acquisition Program Agency recently submitted a revised request for the transfer of four items, as part of the procurement of Korea's E-737 Airborne Early Warning and Control (AEW&C) Program.

With regard to this request, the Ministry of Foreign Affairs and Trade has the honor to refer to the requested transfer of four (4) items of the United States Multifunctional Information Distribution System, Subsystem and Joint Network Design Aid (to be referred to as the "E-737 AEW&C AMS (Airborne Mission System) and TADIL-ICS Equipment") from the Government of the Republic of Korea to Huneed Technologies Corporation (located at 352 Dangjeong-dong, Gunpo-si, Gyeonggi-do, Korea) and Korea Aircraft Industries (KAI) (located at 802, Yuncheon-Ri, Sanam-Myun, Sacheon-City, Gyeongsangnam-do, Korea) for the purpose of design, test, and integration activities.

The Government of the Republic of Korea understands that in keeping with United States laws and regulations, the Government of the United States of America may consider consenting to this transfer only upon being furnished with assurances from the Government of the Republic of Korea that it will not permit Huneed Technologies Corporation and Korea Aircraft Industries to transfer said articles, or any component thereof, by sale, lease, release, assignment, loan, conveyance or any other means to any Government, entity, international organization or person not an officer, employee or agent of Huneed Technologies Corporation and Korea Aircraft Industries or the Government of the Republic of Korea, or to use said articles or any component thereof for any purpose other than for that specified.

In accordance with the foregoing, the Government of the Republic of Korea hereby gives its assurances that unless the prior written consent of the Government of the United States of America has been first obtained:

(A) It will not permit Huneed Technologies Corporation and Korea Aircraft Industries to retransfer said equipment of the Multifunctional Information Distribution System, Subsystem and Joint Network Design Aid, or any component thereof, by sale, lease, release, assignment, loan, conveyance or any other means to any Government, entity, international organization, or person not an officer, employee or agent of Huneed Technologies Corporation and Korea Aircraft Industries, or the Government of the Republic of Korea;

(B) It will not permit Huneed Technologies Corporation and Korea Aircraft Industries to use said equipment of the Multifunctional Information Distribution System, Subsystem and Joint Network Design Aid, or any component thereof, for any purpose other than for design, test, and integration activities;

(C) It will ensure that Huneed Technologies Corporation and Korea Aircraft Industries maintain the security of said equipment the Multifunctional Information Distribution System, Subsystem and Joint Network Design Aid, or any component thereof, and will provide substantially the same degree of security protection afforded to such articles by the Government of the United States of America; and

(D) It will remain ultimate responsibility for ensuring that any equipment retained by Huneed Technologies Corporation and Korea Aircraft Industries remains in the territorial boundaries of the Republic of Korea and under the legal jurisdiction of the Government of the Republic of Korea.

For and on behalf of the Government of the Republic of Korea

Sincerely,

Kim Yonghyon
Director
ROK-US Security Cooperation Division
North American Affairs Bureau
STEPHENS